IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7502 OF 2005

Jignesh B. Mistry ... Petitioner

Versus

State of Maharashtra and Ors. ... Respondents

Mr. R.K. Mendadkar for Petitioner.

Mr. R.D. Rane, Governmetn Pleader for Respondent Nos. 1 to 3.

CORAM : F.I. REBELLO &
DR.D.Y.CHANDRACHUD,JJ.
DATED : OCTOBER 26, 2005

P.C.

. Rule. By consent heard forthwith.

. The learned A.G.P. waives notice for Respondent Nos. 1 to 3. For the order to be passed, notice on Respondent No. 4 dispensed with. Petitioner has been admitted against reserved post. His caste certificate is before Respondent No. 2 for validation. In the meantime, as Petitioner has not produced caste validity, considering the requirement that the certificate produced within particular time frame, he apprehends that he will not be allowed to prosecute his studies.

. In various matters which have came to this court, we have held that the same clause can be waived and in the light of that Respondent No. 4 is directed to permit the petitioner to prosecute his studies till the decision of the committee. In the meantime the committee is directed to dispose of the Petitioner’s claim for caste validity within the period of four months from today. Rule made absolute accordingly. No order as to costs.

(F.I. REBELLO,J.)

(DR.D.Y.CHANDRACHUD,J.)